

REMARKS

The present application was filed on September 23, 2003 with claims 1-21. Claims 1-4, 7-10 and 21 are pending with claim 1 the pending independent claim.

Claims 1-3, 7, 9, 10, and 21 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,581,056 (hereinafter “Rao”).

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Rao in view of U.S. Patent Application Publication No. 2003/0167259 (hereinafter “Casson”).

Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Rao in view of U.S. Patent No. 5,890,150 (hereinafter “Ushijima”).

Applicants respectfully request reconsideration of the present application in view of the remarks below.

With regard to the §102(e) rejection of claim 1, Applicants initially note that MPEP 2131 specifies that a given claim is anticipated “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference,” citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, MPEP 2131 indicates that the cited reference must show the “identical invention . . . in as complete detail as is contained in the . . . claim,” citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claim 1 includes a limitation wherein a method of rewriting a query comprises a step of analyzing the query results with respect to the one or more target attributes and the one or more auxiliary attributes to determine a relative selectivity for the one or more auxiliary attributes. Illustrative embodiments are described in the specification at, for example, page 6, line 18, to page 7, line 22, with reference to FIGS. 4 and 5.

The Examiner contends that Rao discloses this limitation at column 5, line 50, to column 6, line 17, which the Examiner characterizes as teaching that “an ephemeral collection of documents are processed to yield various indexes and index terms that will supplement query refinement.” Applicants respectfully submit that the relied-upon portion of Rao merely discloses “gathering collection and document level object and token statistics (most notably token occurrence).”

Applicants respectfully submit that teachings directed to gathering collection and document level object and token statistics, such as token occurrence, fail to anticipate the aforementioned limitation directed to analyzing the query results with respect to the one or more target attributes and the one or more auxiliary attributes to determine a relative selectivity for the one or more auxiliary attributes.

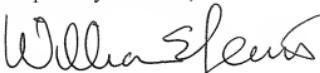
Indeed, Rao teaches away from the claimed method at column 6, lines 50-58, which indicates that the "SCA engine can allow the user to more easily utilize the information obtained by a query to formulate a more restrictive query and to evaluate higher-level strategy options. This is done by the use of various query refinement and browsing tools. The SCA engine of the currently preferred embodiment supports versions of relevance feedback, scatter/gather, snippet search, and similarity search." Rao then describes each of these enumerated techniques at column 6, line 60, to column 7, line 37. None of these methods of rewriting a query include a step of analyzing the query results with respect to the one or more target attributes and the one or more auxiliary attributes to determine a relative selectivity for the one or more auxiliary attributes.

Accordingly, it is believed that Rao fails to meet the limitations of claim 1.

Dependent claims 2-4, 7-10 and 21 are patentable at least by virtue of their dependency from claim 1, and also recite patentable subject matter in their own right.

In view of the above, Applicants believe that claims 1-4, 7-10 and 21 are in condition for allowance, and respectfully request withdrawal of the present rejections.

Respectfully submitted,



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